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C O N F I D E N T I A L SECTION 01 OF 02 USOSCE 000280

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SUBJECT: SCA DAS KROL'S MEETINGS WITH OSCE INSTITUTION  
OFFICIALS AT ATHENS MINISTERIAL

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Classified By: Charge d'Affaires Carol S. Fuller for reasons 1.4 (b) and (d).

#### SUMMARY

11. (C) In a December 1 meeting on the margins of the OSCE Ministerial Council in Athens, OSCE Office for Democratic Institutions and Human Rights (ODIHR) Director Janez Lenarcic expressed concern to SCA DAS Krol that incoming Chair in Office of the OSCE, Kazakhstan, aimed to solve the "problem" of negative ODIHR election reports in former Soviet countries. Krol stressed the U.S. was sending a consistent and strong message to Kazakhstan that there should be no meddling with the autonomy of ODIHR. In a separate meeting the same day, outgoing OSCE Representative for Media Freedom Miklos Haraszti summarized for Krol the retrenchment in freedoms in Central Asia over the past decade. He expressed guarded optimism that a good candidate would succeed him, perhaps before the end of the Greek Chairmanship. End Summary.

#### ODIHR'S CONCERNS ABOUT NEXT YEAR

12. (C) Lenarcic told Krol that he was "not entirely comfortable with the prospects for next year" after seeing recent statements from Kazakhstani officials alleging that ODIHR has taken a disproportionate and negative approach to elections in CIS countries. Lenarcic said Kazakhstani statistics about ODIHR's reports were wildly inaccurate and he stressed there was no OSCE decision giving any mandate over ODIHR's work to the Chairmanship. Lenarcic said he would not allow any interference. He appealed for U.S. support in underscoring this message for Kazakhstan, arguing that the U.S. voice carried more weight in Astana than any other. Lenarcic said he told Kazakhstani Foreign Minister Saudabayev and others that when someone complained to them about an ODIHR assessment, they should reply they have nothing to do with it and blame Lenarcic. Lenarcic said Saudabayev's response was that he would like to create a situation in which they complain to neither Kazakhstan nor ODIHR. Lenarcic said it was clear to him the talking points were coming from the very top in Astana, and he thought many Kazakhstani officials understood ODIHR's reports were not biased - but had to keep their opinions quiet.

13. (C) Krol said that U.S. officials consistently told Kazakhstan that ODIHR's autonomy and mandate must be preserved, with no meddling from the Chairmanship. He agreed there was still need to reinforce this message. Krol asked Lenarcic about the case of jailed Kazakhstani journalist Evgenii Zhovtis. Lenarcic said ODIHR's information clearly demonstrated that Zhovtis had been denied his rights under Kazakhstani law, in both the original trial and the appeal. On Afghanistan, Lenarcic said ODIHR was finalizing its election report (note: subsequently presented to the OSCE

Permanent Council December 10), which he said was "not a positive report" but it tried to focus on the future. He predicted ODIHR would conduct a similar exercise for next year's parliamentary elections in Afghanistan. Krol encouraged ODIHR to engage as much as it could with Afghanistan in order to increase familiarity with international standards. On Uzbekistan, Lenarcic noted there seemed to be some opening. He said ODIHR would observe the February presidential election in Tajikistan, and hoped the government would not try to place restrictions on the number of observers.

#### HARASZTI SEES TEN YEARS OF DETERIORATION

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14. (C) Coming to the end of his tenure as Representative on Media Freedom, Haraszti lamented to Krol that he did not know how to deal with the last "ten years of deterioration" in human rights in Central Asia. He opined that this "counter-reformation" followed Putin's intervention to target civil society and free media in order to prevent another wave of liberalization. Haraszti said one possible basis for progress was governments' desire to be part of something westward - "to drink champagne in Vienna, not just vodka in Vladivostok." He expressed regret that Kazakhstan had passed a number of new restrictive laws, and said that civil society representatives in Kazakhstan held the international community - including the U.S. - responsible for not putting more pressure on Astana. Krol noted that he met with Kazakhstani NGOs and they gave him similar messages about the deterioration in freedoms and the growth of fear and self-censorship.

15. (C) Krol asked if the incoming Kazakhstani Chairmanship had given Haraszti any indication on his successor. Haraszti said no, and added that he never believed Kazakhstan would

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interfere with his office or be willing to provoke the harsh criticism that would come with choosing a Russian representative. He expressed cautious optimism that a good candidate would be chosen, perhaps even before the end of the year depending on maneuvering. Haraszti spoke favorably of both the Bosnian and British candidates. He said, if asked, he might be willing to stay on for a defined period of time, but in any event it was essential to avoid the situation that existed for the three months prior to his assuming the job - when objections from Russia and others made the office unable to make any interventions. Haraszti said he would make a "farewell trip" to Washington in February, and his plans for the longer term remained undefined. He said he would like to combine academic and human rights work, perhaps helping European institutions to deepen their human rights activities.

FULLER